

#4  
3-15-01  
DRS

Docket No.: 50212-132

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Tetsufumi TSUZAKI, et al.

Serial No.: 09/667,576

Filed: September 22, 2000



Group Art Unit: 3662

Examiner:

**RECEIVED**

**MAR 13 2001**

TO 3600 MAIL ROOM

For: **OPTICAL AMPLIFIER AND OPTICAL AMPLIFICATION METHOD**

**TRANSMITTAL OF SUBSTITUTE DECLARATION**

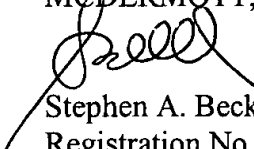
Commissioner for Patents and Trademarks  
Washington, D. C. 20231

Sir:

The Declaration and Power of Attorney submitted with the above application on September 22, 2000 contained a spelling error in the title. Enclosed is a Substitute Declaration and Power of Attorney reflecting the title should read **OPTICAL AMPLIFIER AND OPTICAL AMPLIFICATION METHOD**.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

  
Stephen A. Becker  
Registration No. 26,527

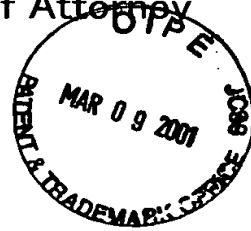
600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202) 756-8000 SAB:dtb  
**Date: March 9, 2001**  
Facsimile: (202) 756-8087

..099144  
SE 199-41**Combined Declaration and Power of Attorney**

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☐ original    ☐ supplemental  
☐ national stage of PCT  
☐ divisional    ☐ continuation    ☒ continuation-in-part



My residence, post office address and citizenship are as stated next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**OPTICAL AMPLIFIER AND OPTICAL AMPLIFICATION METHOD****RECEIVED****MAR 13 2001**

the specification of which

- ☐ is attached hereto. TO 3600 MAIL ROOM  
☒ was filed on September 22, 2000  
                   as United States Application Serial Number 09/667576 and,  
                   was amended on \_\_\_\_\_ (if applicable).  
☐ was filed on \_\_\_\_\_  
                   as PCT International Application Number \_\_\_\_\_ and,  
                   was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

**PRIOR FOREIGN APPLICATIONS, BENEFIT CLAIMED UNDER 35 USC §119(a)**

Application Number	Country	Date of Filing (Day/Month/Year)	Priority Claimed Under 35 USC 119	
<u>P1999-196251</u>	<u>Japan</u>	<u>09 / July / 1999</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>P1999-212190</u>	<u>Japan</u>	<u>27 / July / 1999</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

PRIOR U.S. PROVISIONAL APPLICATIONS, BENEFIT CLAIMED UNDER 35 USC §119(e)

_____ (Application No.)	_____ (Filing Date)	_____ (Application No.)	_____ (Filing Date)
_____ (Application No.)	_____ (Filing Date)	_____ (Application No.)	_____ (Filing Date)

I hereby claim the benefit of Title 35, United States Code Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS  
DESIGNATING THE U.S., BENEFIT CLAIMED UNDER 35 USC §120

PCT/JP00/01660	March 17, 2000	Pending
_____ (Application No.)	_____ (Filing Date)	_____ (Status: Patented, Pending, Abandoned)
_____ (Application No.)	_____ (Filing Date)	_____ (Status: Patented, Pending, Abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the registered practitioners of MCDERMOTT, WILL & EMERY included in the Customer Number provided below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Customer Number 20277

Send Correspondence to: Customer Number 20277  
MCDERMOTT, WILL & EMERY

600 13TH STREET, N.W.  
WASHINGTON, D.C., 20005-3096  
Direct Telephone Calls to: 202-756-8000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of sole or first inventor <b>Tetsufumi TSUZAKI</b>	
Inventor's signature <i>Tetsufumi Tsuzaki</i>	Date <i>Feb. 22, 2001</i>
Residence Yokohama-shi, Kanagawa, Japan	
Citizenship Japan	
Post office address c/o Yokohama Works of Sumitomo Electric Industries, Ltd., 1, Taya-cho, Sakae-ku, Yokohama-shi, Kanagawa 244-8588 Japan	

Full Name second joint inventor, if any <b>Masayuki NISHIMURA</b>	
Second inventor's signature <i>Masayuki Nishimura</i>	Date <i>Feb. 22, 2001</i>
Residence Yokohama-shi, Kanagawa, Japan	
Citizenship Japan	
Post office address c/o Yokohama Works of Sumitomo Electric Industries, Ltd., 1, Taya-cho, Sakae-ku, Yokohama-shi, Kanagawa 244-8588 Japan	

Full Name third joint inventor, if any <b>Masayuki SHIGEMATSU</b>	
Third inventor's signature <i>Masayuki Shigematsu</i>	Date <i>Feb. 28, 2001</i>
Residence Yokohama-shi, Kanagawa, Japan	
Citizenship Japan	
Post office address c/o Yokohama Works of Sumitomo Electric Industries, Ltd., 1, Taya-cho, Sakae-ku, Yokohama-shi, Kanagawa 244-8588 Japan	

Full Name fourth joint inventor, if any <b>Hitoshi HATAYAMA</b>	
Fourth inventor's signature <i>Hitoshi Hatayama</i>	Date <i>Feb. 28, 2001</i>
Residence Yokohama-shi, Kanagawa, Japan	
Citizenship Japan	
Post office address c/o Yokohama Works of Sumitomo Electric Industries, Ltd., 1, Taya-cho, Sakae-ku, Yokohama-shi, Kanagawa 244-8588 Japan	

Full Name fifth joint inventor, if any <b>Eisuke SASAOKA</b>	
Fifth inventor's signature <i>Eisuke Sasaka</i>	Date <i>Feb. 22. 2001.</i>
Residence Yokohama-shi, Kanagawa, Japan	
Citizenship Japan	
Post office address c/o Yokohama Works of Sumitomo Electric Industries, Ltd.,  1, Taya-cho, Sakae-ku, Yokohama-shi, Kanagawa 244-8588 Japan	